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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204221
Party	Defendant Kohler Co.
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Submission	Answer
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Date	04/17/2012
Attachments	answer_to_opp.PDF (4 pages)(143482 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MASCO CORPORATION OF INDIANA,)	
)	
Opposer,)	
v.)	Opposition No. 91204221
)	
KOHLER CO.,)	
)	
Applicant.)	

ANSWER TO NOTICE OF OPPOSITION

Applicant, Kohler Co. ("Applicant"), hereby answers the Notice of Opposition filed by Masco Corporation of Indiana d/b/a Delta Faucet Company ("Opposer") as follows:

1. Applicant admits the allegations of Paragraph 1.
2. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2, and therefore denies them.
3. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3, and therefore denies them.
4. Answering the allegations of Paragraph 4 of the Notice of Opposition, Applicant admits that Exhibit A to the Notice of Opposition is a document that appears to be a TARR record dated November 10, 2011. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 4, and accordingly denies them.
5. Answering the allegations of Paragraph 5 of the Notice of Opposition, Applicant admits that Exhibit B to the Notice of Opposition is a document that appears to be a TARR record dated November 10, 2011. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 5, and accordingly denies them.

6. Answering the allegations of Paragraph 6 of the Notice of Opposition, Applicant admits that Exhibit C to the Notice of Opposition is a document that appears to be a TARR record dated November 10, 2011. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 6, and accordingly denies them.

7. Answering the allegations of Paragraph 7 of the Notice of Opposition, Applicant admits that Exhibit D to the Notice of Opposition is a document that appears to be a TARR record dated November 10, 2011. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 7, and accordingly denies them.

8. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8, and therefore denies them.

9. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9, and therefore denies them.

10. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10, and therefore denies them.

11. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11, and therefore denies them.

12. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 12, and therefore denies them.

13. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 13, and therefore denies them.

14. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14, and therefore denies them.

15. Applicant does not have knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 15, and therefore denies them.

16. Applicant denies the allegations of Paragraph 16.

17. Applicant denies the allegations of Paragraph 17.

18. Applicant denies the allegations of Paragraph 18.

19. Applicant denies the allegations of Paragraph 19.

20. Applicant denies the allegations of Paragraph 20.

21. Applicant denies the allegations of Paragraph 21.

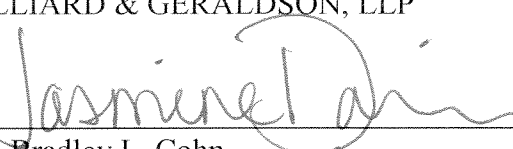
22. Applicant admits that a registration for the mark shown in its Application Serial No. 85/265,771 would be *prima facie* evidence of Applicant's exclusive right to use that mark in commerce in connection with the identified goods. Other than as expressly admitted herein, Applicant denies the remaining allegations of Paragraph 22.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON, LLP

Date: April 17, 2012

By:


Bradley L. Cohn

Alexis E. Payne

Jasmine R. Davis

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Attorneys for Applicant, Kohler Co.

CERTIFICATE OF SERVICE

I, Jasmine R. Davis, hereby certify that a true copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** was served by first class mail, postage prepaid this 17th day of April, 2012 upon the following:

Leon E. Redman
Brooks Kushman PC
1000 Town Center, 22nd Floor
Southfield, Michigan 48075

A handwritten signature in cursive script, reading "Jasmine Davis", is written over a horizontal line.